

REMARKS

Claims 23, 25, 28-31, 33-37, 39, and 40 are pending in the application. In the Final Office Action of June 13, 2007, the obviousness rejections of all pending claims originally set forth in the Office Action dated January 19, 2007, were sustained. In particular, the obviousness rejection of all pending claims is premised on the base combination of Potts '727 and Simpson '130. It is respectfully submitted that the present amendment to independent claim 23 provides further structural definition to the claims and distinguishes the claims over the proposed combination of prior art references.

As amended and presented herein, independent claim 23 calls for the topically treated nonwoven fabric laminate to have the dried coating of a non-ionic fluoropolymer composition on all of the layers of the laminate. The composition is applied in solution form to the laminate so as to permeate and coat all of the layers.

The obviousness rejection is premised on the assertion that it would have been obvious to one of ordinary skill in the art to substitute a non-ionic fluoropolymer, such as the fluoropolymer disclosed in Simpson '130, for one of the fluoropolymer additives of the molten extrusion compositions of Potts '727. However, even if such a substitution were made, the resulting combination does not result in the laminate of claim 23, and does not render claim 23 obvious.

Potts '727 describes various embodiments wherein fluoropolymer compositions are added to one or more molten polymer compositions in a melt extrusion process. The additive migrates to the surface of the melt-extruded fibers as the fibers are formed. An important and repeatedly emphasized characteristic of the extruded non-woven

materials in the Potts '727 reference is that the additives present in any one of the melt extruded nonwoven layers "must not migrate to an adjacent layer to a significant degree in use, so that the surface characteristics of each layer remains substantially as originally prepared." (Column 14, lines 51 through 55). This distinction is repeated throughout the Potts '727 reference. In each example of Potts '727 that contains at least one spunbond and one meltblown layer, at least one other layer of the material is not coated with the fluoropolymer additive. The very purpose of the process according to Potts '727 is so that at least one of the layers in the laminate possesses its initial characteristics, and is not affected by the fluoropolymer additive.


Claim 23 calls for a dried coating of a solution applied to the laminate so as to permeate the material layers of the laminate and results in a coating of all of the various layers of the laminate. This is opposite to the laminate construction of Potts '727, wherein the very purpose of the process is to ensure that fluoropolymer additives do not migrate from one layer to at least one other layer so that the other layer retains its initial characteristics and is not modified by the fluoropolymer additive. Accordingly, even if one skilled in the art were to substitute a non-ionic fluoropolymer additive for the additives in Potts '727, the resulting laminate material is significantly different from the laminate of independent claim 23.

Accordingly, for at least the reasons set forth above, it is respectfully submitted that independent claim 23 patentably distinguishes over the applied references. The remaining claims depend directly or indirectly from independent claim 23 and only further patentably distinguish the laminate over the prior art references. With the present amendment, it is respectfully submitted that all pending claims are allowable

and that the application is in condition for allowance. Favorable action thereon is respectfully requested. The Examiner is encouraged to contact the undersigned at his convenience should he have any questions or require any additional information.

Respectfully submitted,

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